

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CR 4:21-161
)	
JORDAN BROWN)	

FIRST AMENDED SCHEDULING ORDER

Following a conference between the parties in which defense counsel expressed a need for additional time to prepare a presentation to the United States Attorney, counsel have jointly drafted an amended scheduling order governing significant dates in the case. The parties now move for the Court to adopt the parties' proposed First Amended Scheduling Order. Doc. 33. The Court has considered the parties' submission, **GRANTS** the motion, and adopts the proposed deadlines as follows:

DATE	DEADLINE
April 4, 2022	-- Defendant's Delivery of Reciprocal Discovery to Government ⁺ ⁺ Discovery from both parties to be provided on a rolling basis hereafter unless otherwise ordered.
June 6, 2022	-- Defendant's Submission of Evidence in Mitigation to U.S. Attorney's Office
June 20, 2022	-- Government's Submission to DOJ of Memorandum and U.S. Attorney Recommendation re: Death Penalty
June 27, 2022	-- Defendant's Notice of Insanity Defense and/or Expert Evidence of a Mental Condition Pursuant to Fed.R.Crim.P. 12.2(a)-(b)

	-- Defendant's Notice of Alibi Defense Pursuant to Fed.R.Crim.P. 12.2
July 8, 2022	-- Government's Request for Mental Examination Pursuant to Fed.R.Crim.P. 12.2(c)(1)(B)
July 22, 2022	<p>-- Government's Notice Pursuant to Fed.R.Evid. 702 and Fed.R.Crim.P. 16(a)(1)(G)*</p> <p>*The government's notice of expert testimony on the issue of a defendant's mental state or condition shall be set following the completion of any mental examination pursuant to Fed.R.Crim.P. 12.2(c)(1)(B) and associated report.</p>
August 22, 2022	-- Defendant's Notice Pursuant to Fed.R.Evid. 702 and Fed.R.Crim.P. 16(b)(1)(C)
September 19, 2022	<p>-- Government's Supplemental Expert Notice Pursuant to Fed.R.Evid. 702 and Fed.R.Crim.P. 16(a)(1)(G)*</p> <p>-- Parties' Notice Pursuant to Fed.R.Evid. 404(b), 609, 807 and 902</p> <p>*This Order shall not be read to require the government to provide notice or summaries of testimony under Rule 16(a)(1)(G) of any rebuttal witness, as the requirements of Rule 16(a)(1)(G) have no application to expert testimony offered in rebuttal. <i>United States v. Frazier</i>, 387 F.3d 1244, 1269 (11th Cir. 2004). Rather, this scheduling entry is meant to allow the government to supplement its previous expert disclosures after reviewing those of the defendant.</p>
October 21, 2022	-- Government's Notice of Intent to Seek or Not Seek Death Penalty
October 31, 2022	-- Motions Pursuant to Fed.R.Crim.P. 12(b)(3)
December 2, 2022	-- Responses to Motions Filed Pursuant to Fed.R.Crim.P. 12(b)(3)

January 5, 2022	--Hearing on motions filed pursuant to Fed.R.Crim.P. 12(b)(3)
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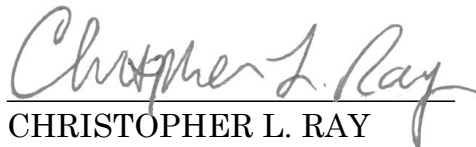
The Court also adopts the parties' proposals for tentative deadlines for remaining pre-trial procedures. If the U.S. Attorney General elects to seek the death penalty, the Court will revisit the remainder of this scheduling order with the parties to address motions pertaining to capital punishment. Although the deadlines are tentative, as they are calculated based on the days before an as-yet-undetermined trial date, the Court emphasizes that they are purely provisional and subject to the modification at the discretion of the District Judge. The tentative pre-trial deadlines are adopted as follows:

DATE	DEADLINE
Trial-120	-- Motions <i>in Limine</i> , to include motions pursuant to <i>Daubert v. Merrell Dow Pharmaceuticals</i> -- Motions for Judicial Notice -- Trial Stipulations
Trial-106	-- Responses to Motions <i>in Limine</i>
Trial-99	-- Replies in Support of Motions <i>in Limine</i>
Trial-90	-- Hearing on Motions <i>in Limine</i> (including <i>Daubert</i> motions, if warranted) and Pretrial Admission of Evidence
Trial-30	-- Supplemental Hearing on Pretrial Admission of Evidence, if Needed -- Additional Stipulations -- Proposed Voir Dire and Jury Instructions

	-- Remaining <i>Giglio/Jencks</i> /Fed.R.Crim.P. 26.2 Disclosures
Trial-21	-- Objections to Proposed Voir Dire and Jury Instructions
Trial-14	-- Pretrial conference -- Trial Memoranda (if needed)
Trial-8	-- Parties' witness and exhibit lists emailed to Courtroom Deputy (in PDF and Word formats) -- Parties' trial exhibits in electronic format (on USB drive) to Courtroom Deputy
Trial	-- Trial
	* If the U.S. Attorney General elects to seek the death penalty, the Court will revisit the remainder of this scheduling order with the parties to address motions pertaining to capital punishment.

As this case has been previously designated complex, the statutory time limits imposed by 18 U.S.C. § 1361 for pretrial proceedings are tolled. Doc. 23.

SO ORDERED, this 26th day of January 2022.



CHRISTOPHER L. RAY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA